

Remarks

Applicant would like to thank Examiner Zeman for the courtesy of the Telephone Interview of February 21, 2001 and for her clarification of the renumbering of claims. It is believed this response should resolve all outstanding issues with regards to the restriction requirement. The claims have been amended to cancel renumbered claims 13 to 19 without prejudice. Although it is believed claims 13 through 18 were cancelled in the prior response, they have been included herewith for the sake of clarity. Renumbered claims 1-12 are currently pending in this application. The subject matter of the cancelled claims is currently being pursued in divisional application 09/735,776. Claim 7 has been amended solely to incorporate the limitations of claim 4 and place it in independent form. Claims 9-12 have been amended solely to conform the dependence to the examiner's renumbering. These are not narrowing amendments and no new matter is added by these amendments.

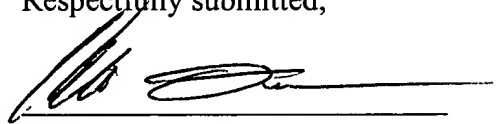
In response to the outstanding Restriction Requirement from November 13, 2000 referenced in the above Office Action, Applicant herein provisionally elects group II (Claims 7-12) with traverse. It is respectfully submitted that simultaneous examination of group II and group I would place no undue burden on the Examiner. The classification of the two groups is to the same class, class 536. Based on the identical classification of class, Applicants respectfully contend that a complete search of groups II and I would be no more burdensome than the corresponding search of group II alone. Accordingly, Applicants respectfully request that the present Restriction Requirement be modified and that groups II and I be examined together.

The election made herein is made solely to expedite prosecution. The Applicants reserve the right to prosecute groups not elected herein in other patent applications claiming the benefit of the filing date of this application.

The Applicants believe that all fees due in connection with the filing of this Response are included herewith. However, the Commissioner is hereby authorized to charge or credit to our Deposit Account, No. 06-1448, any additional fees due or overpayment thereof, respectively, in connection with the filing of this Response.

If there are any questions regarding this Response, the Examiner is invited to contact the undersigned at (617) 832-1216.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Kirk A. Damman', is written over a horizontal line.

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09/416 779

MARKED UP VERSION OF CLAIMS ACCORDING TO 37 CFR 1.121(c)3

The claims were amended as follows:

7. (Amended) A set of nucleic acid probes, comprising a plurality of instances of a sequence of universal and designate nucleotides ordered in a pattern, [The set of nucleic acid probes of claim 4,] wherein the probes are displayed on a solid support.

sequencing chip

9. (Amended) The chip of claim 8[7], wherein the pattern is iterative.

10. (Amended) The chip of claim 8[7], having a universal nucleotide selected from the group consisting of 5-nitroindole and 3-nitropyrrole.

11. (Amended) The chip of claim 8[7], wherein each particular instance is associated with a particular location on the chip.

12. (Amended) The chip of claim 8[7], wherein each probe further comprises a sequence of at least two contiguous designate nucleotides bound to an end of the pattern.